

**IN THE UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF TEXAS**

DEMETRICK PENNIE, et al

Plaintiffs,

v.

BARACK HUSSEIN OBAMA, et al

Defendants.

Civil Action No.: 3:16-cv-02010-L

**AFFIDAVIT OF DEMETRICK PENNIE IN SUPPORT OF PLAINTIFFS' MOTION TO
RECUSE/DISQUALIFY JUDGE SAM LINDSAY UNDER 28 U.S.C. § 144**

1. I, Demetrick Pennie, hereby declare under penalty of perjury that the following is true and correct and based on my personal knowledge and belief.

2. I am over the age of 18 and mentally and legally competent to make this affidavit, sworn under oath.

3. The Honorable Sam Lindsay, through his action and inaction, has exhibited a pattern of deep-seated favoritism for Defendants in this matter, and has exhibited that he has succumbed to extrajudicial influences that have affected his decision-making in this matter.

4. In this Court's Memorandum Opinion and Order, filed October 12, 2016 (Docket No. 48), this Court mischaracterizes the litany of facts set forth by Plaintiffs regarding the widely known anti-Semitic, anti- Caucasian, and anti-law enforcement expressed by Defendant Nation of Islam—including statements made by Defendant Louis Farrakhan himself—merely serve as "Plaintiffs' personal opinion."

5. The Court makes this mischaracterization despite the personal admissions of

Defendant Farrakhan, which have been widely reported. For example, Defendant Farrakhan has stated:

If the government cannot protect our lives ... why are you in the Armed Forces, fighting for a democracy that you don't have at home? Why are you in the Armed Forces of America going overseas to fight somebody that never did a thing to you and act pitiful when your own people are shot down in front of you?

I'm calling on all the soldiers that fight for America, come home and let's unite and fight for our lives that the federal government refuses to fight for us. Then we must fight for ourselves.¹ But time has moved on. Your day of leading our people is over," he said. Then he turned to his fellow preachers and repeated the admonition. "You preachers — *your day of being the pacifier for the white man's tyranny on black people is over. You've got to know they're not going to hear you anymore.* (Emphasis added.)²

"They know an explosion is going to come," the Nation of Islam leader said to cheers from the more than 2,000 people crowding the university's Murphy Fine Arts Center. "You leaders are the worst."

Death is sweeter than watching us slaughter each other to the joy of a 400-year-old enemy. Death is sweeter. The Qur'an teaches persecution is worse than slaughter then it says, retaliation is prescribed in matters of the slain. Retaliation is a prescription from God to calm the breasts of those whose children have been slain."³

"Retaliation is a prescription from God to calm the breasts of those whose children have been slain. So if the federal government will not intercede in our affairs, then we must rise up and kill those who kill us. Stalk them and kill them and let them feel the pain of death that we are feeling."⁴

¹ Video of Farrakhan's speech posted at: Billy Hallowell, "Did Louis Farrakhan Just Call for Armed Resistance? Minister's Fiery Call to all 'Black Soldiers in the U.S. Armed Forces' to 'Come Home, Unite and Fight'," March 5, 2015, accessible at <http://www.theblaze.com/stories/2015/03/05/did-louis-farrakhan-just-call-for-armed-resistance-ministers-fiery-call-to-all-black-soldiers-in-the-u-s-armed-forces-to-come-home-unite-and-fight/#sthash.GoVh5b3s.dpuf>

² Doug Donovan, "Speaking at Morgan, Farrakhan predicts violence in Ferguson," *The Baltimore Sun*, November 22, 2014, <http://www.baltimoresun.com/news/maryland/baltimore-city/bs-md-farrakhan-morgan-20141122-story.html>

³ Richard B. Muhammad and Janiah Muhammad, "We are not asking for justice, we are demanding justice," *The Final Call*, August 4, 2015, accessible at http://www.finalcall.com/artman/publish/National_News_2/article_102517.shtml

⁴ Tomlin, *supra* note 24.

6. Defendant Farrakhan has referred to Jewish people as the “400-year-old-enemy” and called for the killing of the “400-year-old-enemy.” Even more, he referred to Judaism as a “gutter religion” and Israel as an “outlaw” nation. Defendants Nation of Islam and Farrakhan’s extremist, Black Muslim, racist, and violent views are so widely known that even the notoriously Southern Poverty Law Center (“SPLC”) refers to Defendant Nation of Islam as an extremist group. For instance, SPLC states, “While Jews remain the primary target of Farrakhan's vitriol, he is also well known for bashing gay men and lesbians, Catholics and, of course, the white devils, whom he calls "potential humans ... [who] haven't evolved yet."”⁵ As reported by the SPLC, in 2006, Defendant Farrakhan stated, “These false Jews promote the filth of Hollywood that is seeding the American people and the people of the world and bringing you down in moral strength. ... It's the wicked Jews, the false Jews, that are promoting lesbianism, homosexuality. It's the wicked Jews, false Jews, that make it a crime for you to preach the word of God, then they call you homophobic!”⁶

7. These statements are clear indication of anti-Semitic, anti-Caucasian, and anti-law enforcement radical beliefs, made by Defendant Farrakhan himself. It is therefore objectively impossible to refer to Plaintiffs contentions as “personal opinion.”

I hereby swear under oath and penalty of perjury that the foregoing facts are true and correct to the best of my knowledge and belief.

Executed on October 18, 2016 at Dallas, TX.

⁵ *Id.*

⁶ Southern Poverty Law Center, <https://www.splcenter.org/hatewatch/2016/07/08/dallas-sniper-connected-black-separatist-hate-groups-facebook>

/s/ Demetrick Pennie

Demetrick Pennie